

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

**Rule making related to holiday rest stops
and promoting Iowa agricultural products at interstate rest areas**

The Department of Transportation hereby amends Chapter 105, “Holiday Rest Stops,” and Chapter 106, “Promotion of Iowa Agricultural Products at Rest Areas,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 307.12 and 314.27 and 1995 Iowa Acts, Chapter 18, section 2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 314.27 and 1995 Iowa Acts, Chapter 18, section 2.

Purpose and Summary

These amendments to Chapters 105 and 106 correct the name of the Maintenance Bureau and remove district offices from the list of locations from which a form may be requested to sponsor a holiday rest stop or promote an Iowa agricultural product at an interstate rest area. These forms are still available on the Department’s website and from the Maintenance Bureau.

This rule making also requires that any requests be submitted to the Maintenance Bureau. The Maintenance Bureau will approve or deny the requests. The district offices are no longer involved in the administration of these programs.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on February 10, 2021, as **ARC 5410C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on April 13, 2021.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or

group, review this rule making at its **regular monthly meeting** or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 9, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 105.2(4) as follows:

105.2(4) Information. General information regarding holiday rest stops is available from the ~~Office of Maintenance Bureau~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or the department's website at www.iowadot.gov.

ITEM 2. Amend subrule 105.4(3) as follows:

105.4(3) Request. A request to sponsor a holiday rest stop in an interstate rest area shall be made on Form 810023. This form is available from the ~~department's district offices, the office of maintenance bureau~~ or the department's website.

- a. No change.
- b. The request shall be submitted to the ~~office of maintenance bureau~~.
- c. No change.

ITEM 3. Amend subrule 105.4(4), introductory paragraph, as follows:

105.4(4) Approval of request. The request is subject to the approval of the ~~office of maintenance bureau~~.

ITEM 4. Amend subrule 105.5(3) as follows:

105.5(3) Request. A request to sponsor a holiday rest stop along a noninterstate primary highway shall be made on Form 810023. This form is available from the ~~department's district offices, the office of maintenance bureau~~ or the department's website.

- a. No change.
- b. The request shall be submitted to the ~~district office or the office of maintenance bureau~~.
- c. No change.

ITEM 5. Amend subrule 105.5(4), introductory paragraph, as follows:

105.5(4) Approval of request. The request is subject to the approval of the ~~district engineer maintenance bureau~~.

ITEM 6. Amend rule 761—106.3(307) as follows:

761—106.3(307) Information. General information regarding agricultural promotions at interstate rest areas is available from the ~~Office of Maintenance Bureau~~, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010, or the department's website at www.iowadot.gov.

ITEM 7. Amend subrule 106.4(1) as follows:

106.4(1) A request to promote an Iowa agricultural product at an interstate rest area shall be made on Form 810059. This form is available from the ~~department's district offices, the office of maintenance bureau~~ or the department's website.

- a. and b. No change.
- c. The request shall be submitted to the ~~office of maintenance bureau~~.
- d. No change.

ITEM 8. Amend subrule 106.4(2), introductory paragraph, as follows:

106.4(2) Approval of request. The request is subject to the approval of the ~~office of~~ maintenance bureau.

[Filed 4/13/21, effective 6/9/21]

[Published 5/5/21]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/5/21.